

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VINCENT L. BASS, JR.,

Defendant.

4:21CR3104

ORDER

Defendant has moved for a review of his detention and requests a hearing. (Filing No. 44). Under 18 U.S.C. § 3142(f), a magistrate judge may review detention only if “information exists that was not known to the movant at the time of the hearing and that has a material bearing” on the amelioration of the risks of nonappearance and safety. Motions for review of detention must specify the factual basis for the motion, the materiality of the facts to the issues, and that the information was not known previously.

The court has reviewed the video submitted as evidence in support of Defendant’s motion. The video indicates the arresting officers would not provide their names and badge numbers to the defendant before he exited his residence. But the video also shows the defendant knew at least some of the officers by name; that is, he knew who they were, that they were law enforcement officers, and they were not strangers impersonating law enforcement. As confirmed by the video, Defendant was belligerent and resistant to exiting his home to be arrested, and others who lived in the home participated in, encouraged, or at least agreed with that response. The video confirms that Defendant’s attitude, and the household he would live in, is not

conducive to pretrial services officers entering Defendant's property to provide supervision in a safe and non-hostile environment. And the video does nothing to refute the description of a 45-minute standoff with the defendant having weapons. Finally, the events depicted in the video are not newly discovered and could have been raised when Defendant was afforded a detention hearing.

Accordingly,

IT IS ORDERED that Defendant's motion to review detention, (Filing No. 44), is denied.

Dated this 1st day of February, 2022.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge